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*Attorneys for Defendant and  
 Counterclaim Plaintiff Dennis A. Klejna*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----	X	
AXIS REINSURANCE COMPANY,	:	Case No. 07-cv-07924 (GEL)
	:	Case No. 08-cv-03242 (GEL)
Plaintiff,	:	
v.	:	
	:	
PHILLIP R. BENNETT, et al.,	:	
	:	
Defendants.	:	
-----	X	
AXIS REINSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
v.	:	
	:	<i>Electronically Filed</i>
PHILLIP R. BENNETT, et al.,	:	
	:	
Defendants.	:	
-----	X	

**NOTICE OF MOTION OF DEFENDANT AND COUNTERCLAIM  
 PLAINTIFF DENNIS A. KLEJNA FOR RECONSIDERATION  
 OF THE COURT'S JUNE 18, 2008 OPINION AND ORDER**

PLEASE TAKE NOTICE that, upon the memorandum of law filed herewith, and upon the pleadings and motion papers heretofore had herein, Defendant and Counterclaim Plaintiff Dennis A. Klejna, a former officer of Refco Inc. or its direct or indirect subsidiaries, will move

this Court, before the Honorable Gerard E. Lynch at the United States Courthouse, 500 Pearl Street, New York, New York, at a date and time to be set by the Court, for an Order granting reconsideration of the Court's Opinion and Order dated June 18, 2008, and upon reconsideration, dismissing Count III of Axis' Complaint and granting the corresponding portions of Mr. Klejna's Counterclaims, and granting such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), opposition papers, if any, shall be served on the undersigned within ten business days after service of the motion papers herein.

Dated: July 3, 2008

Respectfully submitted,

HELEN B. KIM (HK-8757)  
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/s/ Helen B. Kim

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